



PATENT
0690-0110P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Wolfgang M. FRANZ et al. Conf.: 2640
Appl. No.: 09/068,751 Group: 1635
Filed: November 2, 1998 Examiner: ZARA, J.J.
For: GENE-THERAPEUTIC NUCLEIC ACID CONSTRUCT,
PRODUCTION OF SAME AND USE OF SAME IN
THE TREATMENT OF HEART DISEASE

SMALL ENTITY TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 28, 2004

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:


	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	100	-	100	=	0	\$ 9	\$0.00
INDEPENDENT	6	-	4	=	2	\$ 44	\$88.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$150	\$0.00
						TOTAL	\$88.00

- ☐ Petition for () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☐ No fee is required.
- ☒ Check(s) in the amount of \$88.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Mark J. Nuell, #36,623

DRN/mua
0690-0110P

P.O. Box 747
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Attachment(s)



MS Amendment
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REPLY UNDER 37 C.F.R. § 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 28, 2004

Sir:

In reply to the Office Action dated July 29, 2004, the period for response being extended until October 29, 2004 by petition hereinbelow, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

This reply includes Amendments to the Specification, Amendments to the Claims, three (3) Replacement sheets of drawings, and Remarks.

10/29/2004 RFEKADU1 00000077 09068751

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